

**MINUTES OF AUGUST 14, 2023  
CITY OF LUMBERTON**

A Regular Meeting of the City Council of the City of Lumberton was held at 7:00 p.m. on August 14, 2023, pursuant to notice duly posted according to law. The following members were present:

Don Surratt	-	Mayor
Lynette Barks	-	Mayor Pro Tem
Kenny Burkhalter	-	Councilman
Kenneth Wahl	-	Councilman
Kimberly Cline	-	Councilwoman
David Maniscalco	-	Councilman

And absent:

Dan Bell	-	Councilman
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Also present were City Manager Steve Clark, City Attorney Curtis Soileau, Police Chief Danny Sullins, City Secretary Darla Harrington, Zoning Secretary Anita Price, Secretary Stephanie Constance, and other guests (see attached Guest Register).

Mayor Surratt called the Meeting to order at 7:00 p.m. noting that a quorum was present, and meeting was duly called and posted in accordance with the Texas Open Meetings Act. Councilman Wahl delivered the Invocation; Mayor Surratt led the Pledge of Allegiance and Councilman Maniscalco led the Texas Pledge.

***CITIZEN'S PARTICIPATION – MAYOR PRO TEM BARKS PRESIDING***

Ms. Cheryl Bean came forward to address Council. Ms. Bean discussed concerns about the drought and had questions as to how the City is prepared for it.

Mr. John Leiferman came forward to address Council. Mr. Leiferman said that he has worked in the pool industry on several different levels. He requested that Council re-examine the City's pool setback ordinance as it pertains to the distance requirement from the home to the pool.

Mr. Jim Philp came forward to address Council. Mr. Philp is with the Hardin County Emergency Services District. He extended an invitation to all City Employees and Officials to attend a Pancake Breakfast to be held at the Central Fire Station on Sept. 21, 2023 at 8 a.m.

***ANNOUNCEMENTS/CITY BUSINESS:***

None at this time.

***COMMITTEE REPORTS:***

***CONSENT AGENDA:***

**A. APPROVAL OF MINUTES OF JULY 24, 2023, REGULAR MEETING**

Councilman Burkhalter made a Motion to accept the Minutes as presented. Councilman Wahl seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

**OLD BUSINESS:**

**NEW BUSINESS:**

**Item #230811 – Discussion and Possible Action – Zoning Commission Recommendation**  
**Variance request submitted by Calvin Gauthier, of S&C Builders, LLC., to encroach upon the south side building setback line 5” (five inches) due to home encroachment. The property is located at 1275 Miss Kyndal, Lot 76, Copper Point Phase 2, Abstract Number 46, located in the R C Rogers Survey, Lumberton, Hardin County, Texas.**

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and approve the variance request at 1275 Miss Kyndal. Councilwoman Cline seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

**Item #230812 – Discussion and Possible Action – Zoning Commission Recommendation**  
**Variance request submitted by Jonathan and Jennifer Lee to place their swimming pool 7’6” from their home instead of the required 9’6”, as well as the spa being 5’ from the house instead of 6’. This request is made due to the unique shape of the property. The property is located at 170 Hidden Grove Court, River Birch Phase II, Block 12, Lot 3, Abstract Number 46, located in the R C Rogers Survey, Lumberton, Hardin County, Texas.**

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and approve the variance for a swimming pool and spa at 170 Hidden Grove Court. Councilman Wahl seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

**Item #230813 – Discussion and Possible Action – Zoning Commission Recommendation**  
**Request submitted by Kathy and Steve Kellas to divide their property into two lots with a Minor Plat. The property is located at 111 Cherry Drive, in the unrecorded Greenwood Addition, Block 5, Lots 4 and 5, Lumberton, Hardin County, Texas.**

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and approve the request to divide the property located at 111 Cherry Drive into two (2) lots. Councilwoman Cline seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

**MONTHLY REPORTS:**

Departmental Reports

**MAYOR’S REPORT:**

None at this time.

**CITY MANAGER’S REPORT:**

City Manager, Steve Clark advised that he is looking into the possibility of opening a CD account that offers 5.1% return. He is also checking into finding a solution that will allow for each City Department to have their own credit card for certain expenses.

Mr. Clark also advised that he is working on the 2023-24 Budget. Mayor Surratt stated that Councilman Wahl, Councilwoman Cline, and Councilman Bell will be serving on the Budget Committee.

**POLICE CHIEF’S REPORT:**

Chief Sullins announced that the traffic issues from the school traffic have all been straightened out. He also announced that the Police Department has purchased a new Patrol Dog named Ayton. Ayton is a 4 ½ year-old Belgian Malinois, trained in narcotics, criminal apprehension, tracking, and handler

protection. Once all certification requirements have been met there will be a Canine team out every day from 2 p.m.to-2 a.m.

***EXECUTIVE SESSION:***

Council did not enter into closed Executive Session.

***ACTION ON EXECUTIVE SESSION ITEMS:***

None at this time.

***PERSONNEL:***

***ITEMS FOR FUTURE AGENDA:***

None at this time.

***ADJOURNMENT:***

There being no further business, Councilman Wahl made a Motion to adjourn the meeting. Councilman Burkhalter seconded the Motion. Motion passed unanimously with six (6) for and none (0) against. The meeting was adjourned at 7:22 p.m.

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DON SURRETT  
MAYOR

ATTEST:

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DARLA HARRINGTON  
CITY SECRETARY